

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Alabama Road, 50' W of * ZONING COMMISSIONER
Dixie Drive *
(318 Alabama Road) * OF BALTIMORE COUNTY
9th Election District *
4th Councilmanic District *
Edgar W. Schneider, Jr., et ux * Case No. 88-408-A
Petitioners *

MEMORANDUM AND ORDER

The Petitioners herein request a variance to permit a side yard setback of 2.5 feet in lieu of the required 10 feet for a proposed two-story addition, as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variance should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of May, 1988 that a side yard setback of 2.5 feet in lieu of the required 10 feet for a proposed two-story addition, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 4-6-88

Mr. & Mrs. Edgar W. Schneider, Jr.
318 Alabama Road
Towson, Maryland 21204

Re: Petition for Zoning Variance
Case number: 88-408-A
N/S Alabama Road, 50' W Dixie Drive
(318 Alabama Road)
9th Election District - 4th Councilmanic District
Petitioner(s): Edgar W. Schneider, Jr., et ux
HEARING SCHEDULED: FRIDAY, APRIL 15, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Schneider:

Please be advised that \$100.00 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 112, Towson, Maryland 21204 fifteen (15) minutes before the hearing is to begin.

fail to return the sign and post set(s), there added to the above fee for each set not

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartment.

JRH:hjs

DESCRIPTION FOR VARIANCE
318 ALABAMA ROAD
9TH ELECTION DISTRICT

Located on the north side of Alabama Road, 50 feet wide, at a distance of 50 feet west of Dixie Drive and being known as Lot No. 12, Block 7, as shown on the plat of "Southland Hills", which is recorded in the Land Records of Baltimore County in Plat book 12, Folio 30.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th
Posted for: Variance Date of Posting: March 22, 1988
Petitioner: Edgar W. Schneider, Jr., et ux
Location of property: N/S Alabama Road, 50' W Dixie Drive
(318 Alabama Road)
Location of Sign: In front of 318 Alabama Road

Remarks:

Posted by: J. J. Mote Date of return: April 6, 1988

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 24, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 24, 1988.

THE JEFFERSONIAN,

Brian Sanders O'Brien
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified below, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Zoning Variance
Case number: 88-408-A
N/S Alabama Road, 50' W Dixie Drive
(318 Alabama Road)
9th Election District - 4th Councilmanic District
Petitioner(s): Edgar W. Schneider, Jr., et ux
HEARING SCHEDULED: FRIDAY, APRIL 15, 1988 at 9:00 a.m.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing or shown or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
1370 Mar 24

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 302.1(c)(1) to permit a side yard setback of 2.5 feet in lieu of the required 10 feet.

To provide most functional access to addition built.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Legal Owner(s):
(Type or Print Name)
Signature
(Type or Print Name)
Signature
318 Alabama Rd. 845-7548
Towson MD 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 47464
DATE: 4/15/88 ACCOUNT: 01468
AMOUNT: \$ 35.00
RECEIVED FROM: J. J. Mote
FOR: J. J. Mote
VALIDATION OR SIGNATURE OF CARRIER
REVIEWED BY: CFC DATE: 4/15/88

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 23, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 23, 1988.

TOWSON TIMES,

Brian Sanders O'Brien
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified below, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
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J. ROBERT HAINES
Zoning Commissioner of Baltimore County
1370 Mar 24

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

FEB 26 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case number: 88-408-A
N/S Alabama Road, 50' W Dixie Drive
(318 Alabama Road)
9th Election District - 4th Councilmanic District
Petitioner(s): Edgar W. Schneider, Jr., et ux
HEARING SCHEDULED: FRIDAY, APRIL 15, 1988 at 9:00 a.m.

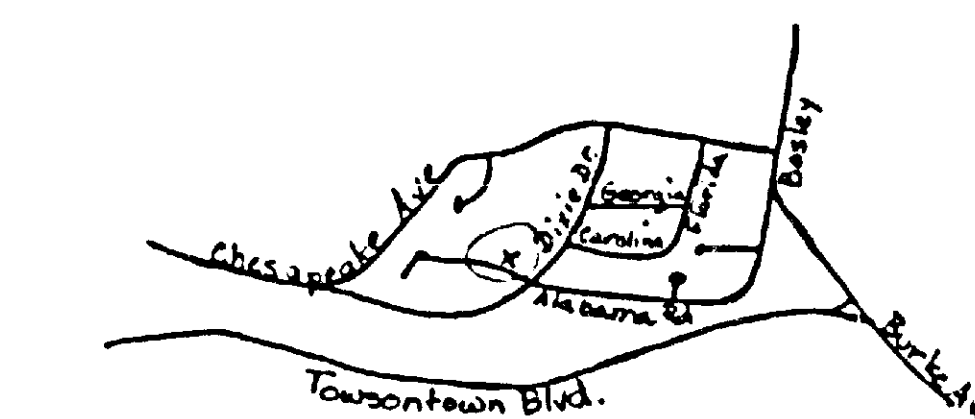
Variance to permit a side yard setback of 2.5 feet in lieu of the required 10 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

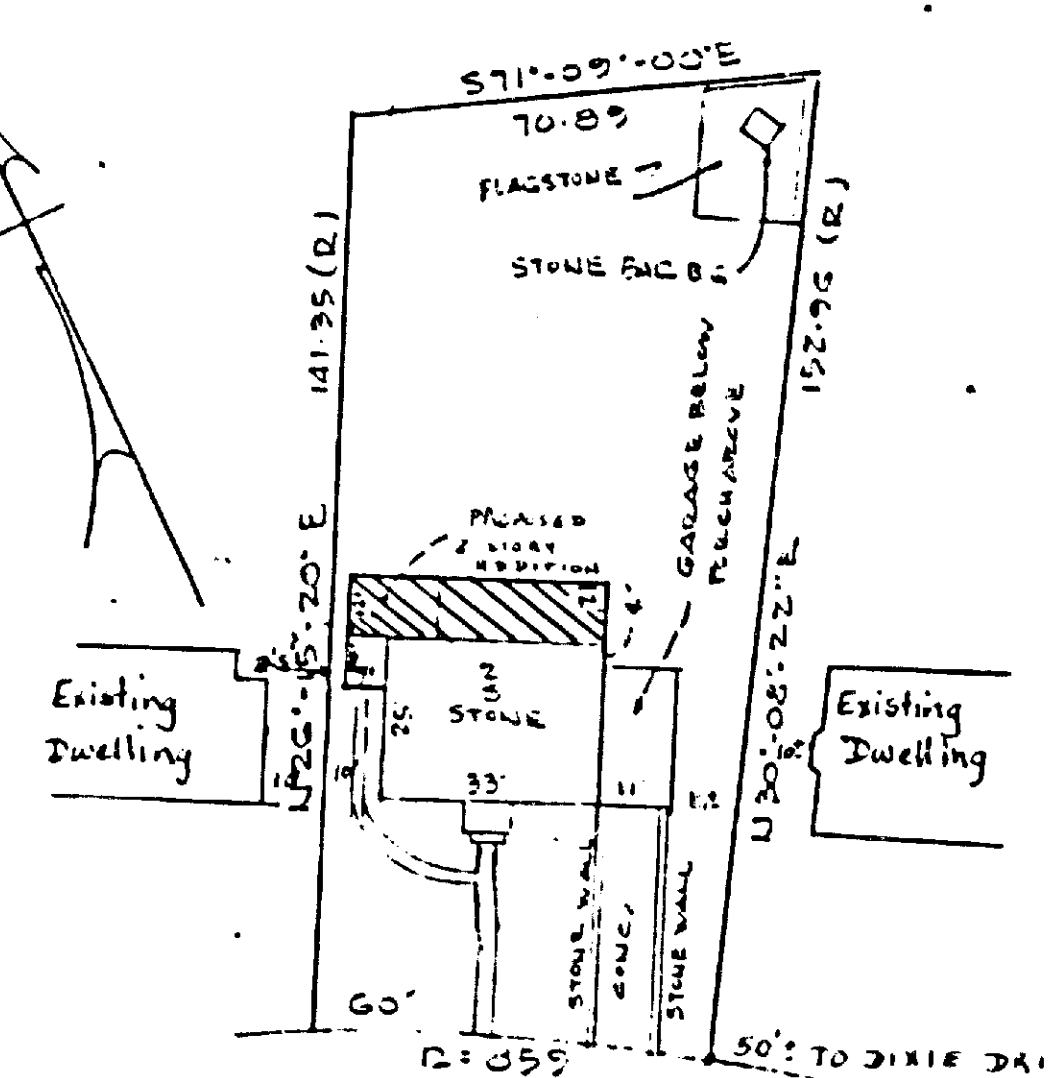
J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Edgar W. Schneider, Jr., et ux



Description: North side of Alabama Rd. N.W. of intersection of Dixie Drive and Alabama Rd.



PLAT REVISED FOR
ZONING PURPOSES 1/1/88

LOT 12 BLOCK 7
SOUTHLAND HILLS
PLAT BOOK 12-30
DISTRICT BALTIMORE COUNTY, MARYLAND
DATE 1-1-88
MED DR. 55

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

Date: March 26, 1988

FROM: P. David Fields
Director of Planning and Zoning
Zoning Petition Nos. 88-408-A,
88-409-A, 88-410-A, 88-411-A,
88-414-A, 88-416-A, 88-417-A

SUBJECT: 88-414-A, 88-416-A, 88-417-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields per J. Howell
P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

cc: Edgar W. Schneider, Jr., et ux
4/6/88

CPS-008

88-408-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
1st day of February, 1988.

Petitioner: Edgar W. Schneider, et ux
Petitioner's Attorney

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

January 28, 1988

Re: Property Owner: Edgar W. Schneider, Jr., et ux

Location: N/S Alabama Rd., 50' W. Dixie Rd.

Item No.: 258

Zoning Agenda: Meeting of 2/2/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ___ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and
Planning Group Approved:
Special Inspection Division

John F. O'Neill
Fire Prevention Bureau

/31

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 8, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Edgar W. Schneider, Jr.
318 Alabama Road
Towson, Maryland 21204

Item No. 258 - Case No. 88-408-A
Petitioner: Edgar W. Schneider, et ux
Petition for Zoning Variance

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Dear Mr. & Mrs. Schneider:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:cer

Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
494-3554

February 18, 1988



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number (258) 260, 261, 262, 263, 265, 266 and 268.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

NSP/pml-b

PETITIONER(S) EXHIBIT (2)

